

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**24 HOUR FITNESS USA, INC. a  
California corporation dba 24 HOUR  
FITNESS,**

**Plaintiff,**

**NO. 4:11-CV-4279**

**vs.**

**RODERICK BOYD,**

**Defendant.**

**PLAINTIFF 24 HOUR FITNESS USA, INC.'S NOTICE OF ORDER RE:  
SPECIAL MASTER'S REPORT AND RECOMMENDATION ISSUED BY  
JUDGE SAMUEL CONTI OF THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Plaintiff 24 Hour Fitness USA, Inc. ("24 Hour Fitness") submits the following Order Re: Special Master's Report and Recommendation ("Order") issued by Judge Samuel Conti of the United States District Court for the Northern District of California on July 5, 2012. Under Judge Conti's Order, 24 Hour Fitness is precluded from further prosecuting this action before this Court. Accordingly, 24 Hour Fitness respectfully requests a continued stay of this action until Judge Conti's Order becomes final, or is appealed and thereafter becomes final.

Dated July 11, 2012

Respectfully submitted,

*/s/ Scott C. Sherman*

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ATTORNEYS FOR PETITIONER

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11th day of July, 2012, I electronically transmitted the foregoing document to the U.S. District Clerk for the Southern District of Texas, Houston Division, using the ECF system for filing and transmittal of a Notice of Electronic Filing will be sent to the appropriate ECF registrants.

*/s/ Scott C. Sherman*

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Scott C. Sherman